

BEFORE THE
STATE COMMITTEE OF PSYCHOLOGISTS
STATE OF MISSOURI

STATE COMMITTEE OF PSYCHOLOGISTS,)	
)	
Petitioner,)	
)	
v.)	Cause No. 99-0236 PS
)	
THOMAZ LIPSITZ, PH.D)	
)	
Respondent.)	

**FINDINGS OF FACT, CONCLUSIONS OF LAW
AND DISCIPLINARY ORDER**

The Administrative Hearing Commission is an agency of the State of Missouri created and established pursuant to § 621.015, RSMo, for the purpose of conducting hearings and making findings of fact and conclusions of law in cases in which disciplinary action may be taken against a licensee or certificate holder by certain agencies, including the State Committee of Psychologists.

On November 2, 1999, the Administrative Hearing Commission of the State of Missouri entered a Consent Order in the case of State Committee of Psychologist v. Thomas Lipsitz, Ph.D, Case No. 99-0236 PS. In the Consent Order the Administrative Hearing Commission adopted the Findings of Fact submitted by the parties pursuant to a Joint Stipulation of Facts, Conclusions of Law and Waiver of Hearing Before the Administrative Hearing Commission, and concluded that Respondent's license to practice as a psychologist is subject to disciplinary action by this Committee for violation of § 337.035.2(10), RSMo Supp. 1998.

This Committee has received the record of the proceedings before the Administrative Hearing Commission. The Consent Order and the Joint Stipulation of Facts, Conclusions of Law and Waiver of Hearing Before the Administrative Hearing Commission in Case No. 99-0236 PS is incorporated herein by reference.

This Committee set this matter for disciplinary hearing and served notice of the disciplinary hearing upon Respondent in a proper and timely fashion.

Pursuant to notice and §§ 621.110 and § 337.035.3, RSMo 1994, this Committee held a hearing on December 3, 1999, for the purpose of determining the appropriate disciplinary action against Respondent's license. Respondent was present for the hearing and was represented by counsel. The Committee was represented by Assistant Attorney General James Ertle.

Six members of the Committee were present and participated in the Committee's deliberation, vote, and order.

Respondent, Thomas Lipsitz, Ph.D, is licensed by this Committee, numbered PY00637, which is current and active.

Findings of Fact

1. Respondent saw some of Geraldine Lamb's patients for evaluations in order for them to obtain insurance to cover their treatment with Ms. Lamb.
2. Respondent sanctioned his signature stamp being used on insurance claims for treatment provided by Geraldine Lamb.
3. Respondent did not fully supervise the treatment of patients for which his

signature stamp was utilized.

Conclusions of Law

This Committee has jurisdiction over this proceeding pursuant to § 621.110, RSMo 1994 and § 337.035.3, RSMo 1994.

Respondent's license is subject to disciplinary action by this Committee pursuant to § 337.035.2(10).

Order

THEREFORE, having fully considered all the evidence before this Committee it is the ORDER of this Committee that the license of Thomas Lipsitz, Ph.D., numbered PY00637 is hereby placed on probation for a period of three (3) years under the following terms and conditions:

A. Licensee must complete a graduate level course on the topic of ethics approved by the State Committee of Psychologists. Such course must be taken in a department of psychology at an APA accredited program for graduate credit of no less than three (3) semester hours. The Licensee must obtain a grade of B or higher in the course. Readings courses, correspondence courses or independent study courses are unacceptable.

B. During the probationary period, Licensee's practice as a professional psychologist shall be supervised on a quarterly basis by a psychologist approved by the State Committee of Psychologists. If Licensee has failed to secure a supervisor within twenty (20) business days

from the start of probation the Licensee shall cease practicing psychology until a supervisor is secured. Licensee shall be responsible for any payment associated with the supervision. Supervision includes, but is not limited to, on site face-to-face review of cases, and review of written reports such as case notes, intake assessments, test reports, treatment plans, and progress reports.

C. In the event the supervising psychologist becomes unable or decides not to continue serving in his/her capacity as a supervising psychologist or otherwise ceases to serve as a supervising psychologist during the period of probation, then, the Licensee shall:

a) within three (3) business days of being notified of the supervising psychologist's inability or decision not to continue serving as the supervising psychologist, or otherwise learning of the need to secure a supervising psychologist, advise the State Committee of Psychologists in writing that he/she is needing to secure a supervising psychologist and the reasons for such change; and

b) within twenty (20) business days of being notified of the supervising psychologist's inability or decision not to continue serving as the supervising psychologist, or otherwise learning of the need to secure a supervising psychologist, secure a supervising psychologist pursuant to and in accordance with the terms and

conditions set forth in this Order. After twenty (20) business days, the Licensee shall not practice if he or she has not secured a supervisor.

D. The supervising psychologist shall be vested with administrative authority over all matters affecting the provision of psychological health services provided by Licensee so that the ultimate responsibility for the welfare of every client is maintained by the supervising psychologist.

E. Licensee may not serve as a supervisor for any psychological trainee, psychological intern, psychological resident, psychological assistant, or any person undergoing supervision during the course of obtaining licensure as a psychologist, professional counselor, marriage and family therapist or social worker.

F. Licensee must keep the State Committee of Psychologists apprised at all times, in writing, of Licensee's current home and work addresses and telephone numbers.

G. Licensee is required to pay to the State Committee of Psychologists, in a timely fashion, all requisite fees required by law to renew and keep current Licensee's psychology license in Missouri.

H. Licensee is required to comply with all provisions of Chapter 337, RSMo, the rules and regulations duly promulgated by the State

Committee of Psychologists and state and federal criminal laws.

I. Licensee must provide periodic reports of Licensee's compliance with this Order every 3 months.

J. At Licensee's expense, Licensee must agree to meet with the State Committee of Psychologists at reasonable intervals designated by the Committee.

Upon the determination of the Committee that the Respondent has failed to comply with the terms of this Order, the Committee may take such other or additional disciplinary action against Respondent or Respondent's license as appropriate pursuant to 620.153, RSMo. No order shall be entered by the Committee pursuant to this paragraph without notice and an opportunity for hearing before the Committee in accordance with the provisions of Chapter 536, RSMo.

Upon the expiration of the disciplinary period, the Licensee's license as a psychologist in Missouri shall be fully restored, provided all provisions of this Order and all other requirements of law have been satisfied.

If the State Committee of Psychologists determines that the Licensee has violated a term or condition of his/her discipline, or has otherwise failed to comply with the provision of Chapter 337 RSMo, which violation would be actionable in a proceeding before the State Committee of Psychologists or the Administrative Hearing Commission or a Circuit Court, the State Committee of Psychologists may elect to pursue any lawful remedies or procedures afforded to it, and is not bound by this Order and its selection of

remedies concerning such violation.

IT IS SO ORDERED, effective March 10, 2000.

State Committee of Psychologists

Pamela Goose

Pamela Goose
Executive Director

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